

ILLINOIS POLLUTION CONTROL BOARD

April 18, 1974

CITY OF CASEY,)
)
 Petitioner,)
)
 v.) PCB 74-25
)
 ENVIRONMENTAL PROTECTION AGENCY,)
)
 Respondent.)

ORDER OF THE BOARD (by Mr. Henss)

On January 18, 1974 the Mayor of the City of Casey wrote a letter to the Illinois Pollution Control Board requesting variance from the "leaf burning law" for the purpose of burning tree limbs on City property. On January 24, 1974 the Board found that the variance petition was inadequate in that it failed to specify any financial hardship which might be incurred by the City through compliance with Open Burning Regulations. Petitioner was ordered to provide the additional information within 35 days. The Board Order stated that failure to file this information would make the petition subject to dismissal.

Petitioner has failed to file the additional information and the petition is still inadequate. The Agency recommends that the variance be denied because Petitioner has not substantiated the claimed hardship; no real compliance planning appears in the petitions; and viable alternatives to open burning do exist.

Under the circumstances we have no alternative but to dismiss the variance petition.

It is ordered that the variance petition be and it is hereby dismissed without prejudice.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Order was adopted this 18th day of April, 1974 by a vote of 5 to 0.

Christan L. Moffett
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